

Content

Title : Regulations Governing the Review of Professional Development Institutions for Principal Accounting Officers of Issuers, Securities Firms, and Securities Exchanges [Ch](#)

Date : 2006.06.08

Legislative : 1. Full text of 9 articles adopted and issued 8 June 2006 per Order No. Financial- Supervisory-Securities-VI-0950002658 of the Financial Supervisory Commission, Executive Yuan; for implementation from date of issuance

Content : Article 1

These Regulations are adopted pursuant to Article 14, paragraph 4 of the Securities and Exchange Act.

Article 2

A professional development institution that applies to offer professional training courses for principal accounting officers as provided in Article 5 and Article 6, paragraph 2 of the Regulations Governing the Qualification Requirements and Professional Development of Principal Accounting Officers of Issuers, Securities Firms, and Securities Exchanges shall possess the following qualifications:

1. The institution shall have been established as a non-profit incorporated association for no less than two years or shall be an incorporated foundation established with the approval of the competent authority, and shall have over the preceding two years offered a minimum total of 100 hours of courses in the areas of accounting, auditing, finance, financial laws and regulations, professional ethics, legal liability, and other related subjects, or it shall be a government agency or an educational institution at the university level or higher.
2. The institution shall have received no official reprimand or more serious disposition within the preceding three years from the competent authority or the competent authority for the target industry.
3. The competent authority's recognition of the institution for the offering of professional training courses for principal accounting officers, pre-employment or on-the-job training for internal auditors, or finance-related education and training shall not have been revoked during the preceding three years.
4. The institution shall have established its own training site with facilities in compliance with the relevant laws and regulations governing structural safety, fire prevention and escape, and fire control, and must have a documented right of use valid for a minimum of one year. If a site is leased from an outside source, that site must also comply with relevant laws and regulations governing structural safety, fire prevention and escape, and fire control.
5. It must have employed one or more full-time employees to administer the training courses.

A professional development institution that applies to offer professional

training courses for principal accounting officers as provided in Article 5 and Article 6, paragraph 2, subparagraphs 1 and 2 of the Regulations Governing the Qualification Requirements and Professional Development of Principal Accounting Officers of Issuers, Securities Firms, and Securities Exchanges shall possess the following qualifications in addition to those named in the preceding paragraph:

1. It shall have offered professional development training in accounting and auditing for a minimum of five years.
2. It shall have offered courses continuously over the preceding two years related to statements of auditing and accounting standards and related letters of interpretation.
3. Its work plans for course offerings scheduled within the upcoming year shall be based primarily on courses related to the statements of auditing and accounting standards and related letters of interpretation.

Article 3

Professional development institutions for principal accounting officers shall administer tests to principal accounting officers receiving training; certificates may be issued only to those with passing scores on the tests, and test results shall be the basis for compilation of lists of qualifying persons.

Before the end of January each year, an institution that has been recognized as a professional development institution for principal accounting officers shall report the names of the principal accounting officers participating in training and the status of their professional development during the preceding year for reference by the competent authority through the competent authority's designated Internet-based information system. It shall also attach materials to report to the competent authority the names of courses actually offered during the preceding year, course outlines, course offering dates, course hours, number of participants, and the academic qualifications and experience of instructors; if the reported information indicates non-compliance with the provisions of these Regulations, the competent authority may revoke its recognition of the institution as a professional development institution for principal accounting officers.

Article 4

Instructors at professional development institutions for principal accounting officers shall possess one of the following qualifications:

1. One or more years of experience teaching courses in accounting, auditing, financial laws and regulations, professional ethics, legal liability, or other related subjects at a domestic or foreign junior college or higher-level educational institution.
2. Holding the position of principal accounting officer of a public company, securities firm, or securities exchange, or having three or more years of work experience in related duties.
3. Having studied and obtained a master's or higher degree in securities, futures, banking, insurance, finance, accounting, law, or related departments at a foreign or domestic graduate studies institute.
4. Holding a managerial position at the competent authority for financial enterprises in the areas of securities, futures, banking, or insurance, or having three or more years of work experience in related duties.

5. Holding a domestic or foreign certificate of qualification through examination for the position of certified public accountant, judge, public prosecutor, or attorney.

Article 5

In order to apply for the status of a professional development institution for principal accounting officers, the following documents shall be submitted by letter for recognition by the competent authority:

1. An application for recognition as a professional development institution for principal accounting officers (in the format provided in Appendix 1).
2. One photocopy of the applicant's certificate of establishment as a professional development institution.
3. One photocopy of the applicant's income tax return for the preceding year.
4. Photocopies of the labor insurance cards or employment certificates of the applicant's full-time employees.
5. One photocopy of an inspection report notification for building fire prevention and escape facilities and equipment safety, valid for the current year, issued by a local government construction authority or bureau of public works.
6. One photocopy of the receipt from a fire safety equipment inspection and maintenance report issued by a local government fire agency and valid for the current year.
7. One photocopy of the documented right of use for the training site, valid for a minimum of one year (e.g., certificate of title or lease agreement).
8. The applicant's academic bylaws.
9. Information on training courses actually offered during the preceding two years and the current year (including names of courses, course outlines, academic qualifications and experience of instructors, the number of sessions already offered, course hours, number of participants, and fee standards).
10. Work plans for course offerings scheduled within the upcoming year (including names of courses, course outlines, course offering dates, course hours, and academic qualifications and experience of instructors).

Article 6

Given a change in any of the items of the subparagraphs of the preceding article, excepting subparagraph 3, the institution shall report to the competent authority within one month of the change; if the change is not reported or if the change results in non-compliance with the provisions of Article 2, the competent authority may revoke its recognition of the institution as a professional development institution for principal accounting officers.

Article 7

After being recognized as a professional development institution for principal accounting officers, the institution shall provide documentation to the competent authority on the names of its courses, course outlines, course offering dates, course hours, and academic qualifications and experience of instructors for the following year before the end of October each year.

When the documentary information provided to the competent authority by the

professional development institution for principal accounting officers pursuant to the preceding paragraph differs from the content of actual course offerings, the institution shall provide the competent authority with amended documentation before the courses begin.

When the documentary information provided pursuant to the preceding two paragraphs does not comply with these Regulations, the competent authority may revoke its recognition of the institution as a professional development institution for principal accounting officers.

Article 8

After receiving approval as a professional development institution for principal accounting officers, the institution shall retain for reference appropriate written records on all coursework matters, including course offering dates, course names, course hours, lists of participants completing the courses, and other relevant information (in the format shown in Appendix 2).

The period for which records are retained pursuant to the preceding paragraph shall be no less than three years.

Article 9

These Regulations shall be implemented from the date of issuance.

Data Source : Financial Supervisory Commission Laws and Regulations Retrieving System